

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TANYA STEWART,

Plaintiff(s),

CASE NUMBER: 07-14231

HONORABLE VICTORIA A. ROBERTS

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant(s).

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ORDER ADOPTING REPORT AND RECOMMENDATION

On August 18, 2008, Magistrate Judge Charles E. Binder submitted a Report and Recommendation (Doc. #10) recommending that the Court: (1) GRANT Plaintiff's Motion for Summary Judgment (Doc. #6); (2) DENY Defendant's Motion for Summary Judgment (Doc. #9); (3) REVERSE the Commissioner's findings; and (4) REMAND the case for a benefit award.

On September 2, 2008, the Commissioner filed an "Ex Parte Motion for an Extension of Time to File Objections to the Magistrate Judge's Report and Recommendation." (Doc. #12). The Commissioner asked the Court to extend its deadline for objections until September 12, 2008. The Court granted the Commissioner's request on September 9, 2008.

Because the Court has not received objections from the Commissioner, it adopts the Magistrate Judge's Report and Recommendation. The Court: (1) **GRANTS** Plaintiff's motion; (2) **DENIES** Defendant's motion; (3) **REVERSES** the Commissioner's findings; and (4) **REMANDS** the case for a benefit award.

IT IS ORDERED.

S/Victoria A. Roberts

Victoria A. Roberts

United States District Judge

Dated: September 15, 2008

The undersigned certifies that a copy of this document was served on the attorneys of record by electronic means or U.S. Mail on September 15, 2008.

s/Carol A. Pinegar

Deputy Clerk